

## Recent Carl Moyer Program Case-by-Case Determinations

An air district may request ARB approval of a project or other Carl Moyer Program (CMP) element that varies from the requirements of the CMP Guidelines on a case-by-case basis. ARB may approve such a project or other program element if this approval would not adversely impact achievement of real, surplus, quantifiable, enforceable, and cost-effective emission reductions, would not significantly reduced program transparency, and is not prohibited by statute.

These case-by-case decisions are based on CMP Guidelines and supplementary guidance (including emails and mail-outs) in effect on the date of the decision. Please also note that projects must consider all supplementary guidance issued as of the fully executed contract date. Therefore, future supplementary guidance issued prior to contract execution that would change the eligibility or funding amount for this project will supersede these case-by-case decisions.

These decisions are posted to assist districts in preparing a case by case request. These decisions are project specific and may not be applicable to other projects. Districts should seek the guidance of ARB staff for each determination that is not addressed in the CMP Guidelines and supplemental materials.

For more information on case by case decisions, refer to the [Carl Moyer Program Guidelines](#), Part III, Section 28.

### Reference # 2010- 01

**Request:** Extend the June 30, 2010 delivery deadline for new purchase of urban buses.

**Air District:** South Coast AQMD

**Guidelines Section(s):** Chapter III, Section IV(c)(2)

**Determination:** The lead time for procurement of urban transit buses is unusually long due to higher than usual demand, which is beyond the control of the applicant or air district. Therefore, for this urban bus new purchase project, that had a fully executed contract before December 31, 2009, the air district may extend the delivery deadline to June 30, 2011, rather than the existing July 1, 2010 deadline. The applicant must provide documentation from the bus manufacturer (for inclusion in the project file) that buses cannot be delivered by June 30, 2010, and provide a timeline for delivery. Air districts with similar transit bus projects with contracts executed on or before December 31, 2009 may request case-by-case approval for a similar delivery deadline extension.

**ARB Action:** Approved

**Determination Date:** 22 Dec 2009

**Contact:** Peter Christensen (916) 322-1520 [pchriste@arb.ca.gov](mailto:pchriste@arb.ca.gov)

**Reference # 2010- 02**

**Request:** Extend the June 30, 2010 delivery deadline for new purchase of solid waste collection vehicles.

**Air District:** South Coast AQMD

**Guidelines Section(s):** Chapter III, Section IV(c)(2)

**Determination:** The June 30, 2010 delivery deadline is confirmed for solid waste collection vehicles. The apparent reason for a potential delivery delay is related to the applicant's limited resources, which is not sufficient to justify an extension.

**ARB Action:** Not approved

**Determination Date:** 24 Dec 2009

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